

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In Re:)	18-15956
)	
Joseph Makowski,)	Chapter 13
)	
Debtor(s).)	Judge Janet S. Baer

NOTICE OF MOTION

To the following persons or entities who were served electronically by the Bankruptcy Court:

Glenn Stearns, Ch. 13 Trustee: mcguckin_m@lisle13.com

To the following persons or entities who were served via regular U.S. Mail:

Joseph Makowski, 908 Sussex Rd., Carol Stream, IL 60188

PLEASE TAKE NOTICE that on May 1, 2020 at 9:30 am, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Janet S. Baer, Kane County Courthouse, 100 S. Third St., Courtroom 240, Geneva, IL 60134 (or any other place posted, or before any other Judge who may be sitting in his/her place and stead), and present the attached **Motion to Vacate Payroll Order**, at which time and place you may appear.

A party who objects to the motion and wants it called must file a Notice of Objection no later than two (2) business days before the presentment date. If no Notice of Objection is timely filed, the court may grant the motion without a hearing before the date of presentment.

_____/s/ John J. Ellmann

CERTIFICATE OF SERVICE

The undersigned does hereby certify that copies of this Notice and attachments were served to the above persons or entities, by depositing same in the U.S. Mail at Wheeling, Illinois 60090, with proper postage prepaid, or served electronically by the Bankruptcy Court, before 5:00 p.m. on April 24, 2020.

_____/s/ John J. Ellmann

John J. Ellmann, A.R.D.C. #6257894
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES, LLC
790 Chaddick Drive
Wheeling, IL 60090
847/ 520-8100

**UNITED STATES BANKRUPTCY COURT
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In Re:)	18-15956
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Joseph Makowski,)	Chapter 13
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MOTION TO VACATE PAYROLL ORDER

NOW COMES the Debtor, by and through his attorneys, DAVID M. SIEGEL & ASSOCIATES, LLC, to present his Motion, and in support thereof states as follows:

1. Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
2. On June 4, 2018, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC. Glenn Stearns was appointed Trustee and the Chapter 13 plan was confirmed on October 5, 2018.
3. On June 8, 2018 a payroll deduction order was entered that is still in effect (Exhibit A).
4. The Debtor's income has decreased and he wants to allocate his funds for more immediate urgent expenses. When his regular income resumes he can make Trustee payments in full and may be able to modify his chapter 13 plan to address any payment default.
5. The Debtor makes this request in good faith and to promote the continued successful performance of the Chapter 13 plan.

WHEREFORE, the Debtor, Joseph Makowski, prays that this Honorable Court enter an Order to Vacate the Payroll Order, and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ John Ellmann

DAVID M. SIEGEL & ASSOCIATES, LLC
790 Chaddick Drive
Wheeling, IL 60090
847/ 520-8100

John J. Ellmann, A.R.D.C. #6257894
Attorney for the Debtor(s)

EXHIBIT
A

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re: Joseph Makowski) Case No. 18-15956
)
) Chapter 13
)
SSN: XXX-XX-0943 Debtors) Honorable Janet S. Baer

ORDER TO EMPLOYER TO PAY THE TRUSTEE

To: Archer Wire
7300 S Narragansett Ave,
Bedford Park, IL 60638

Attn: Payroll Department

WHEREAS, the above named debtor has submitted a plan to pay his/her debts out of his/her future earnings, and by his/her plan submits all of his/her future earnings to the supervision and control of this Court for the purpose of carrying out the Plan:

NOW IT IS THEREFORE ORDERED, that until further order of this Court, Archer Wire, employer of Joseph Makowski, deduct from the earnings of the debtor the sum of \$1,600.00 each month beginning on the next pay day following the receipt of this order and to pay the sum so deducted to, Glenn Stearns, Trustee at least once a month at the following address:

Glenn Stearns Chapter 13 Trustee
P.O. Box 2368
Memphis, TN 38101-2368

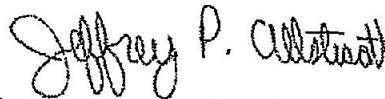
IT IS FURTHER ORDERED, that the employer shall stop or change the deduction upon written notice from the Trustee;

IT IS FURTHER ORDERED, that the employer shall notify the Trustee if the employment of the debtor is terminated and the reason for such termination;

IT IS FURTHER ORDERED, that all earnings of the debtor, except amounts required to be withheld by the provisions of Federal or State law or for insurance, pension or union dues, be paid to the debtor and that no deduction other than authorized or directed by this order be made by the employer.

FOR THE COURT

Date 6/8/2018
Entered: _____



Jeffrey Allsteadt, Clerk, United States Bankruptcy Court

Debtor or Attorney Signature /s/ David M. Siegel Date: 06/07/2018

☒ I agree to entry of this order without further notice or hearing.

☐ Check this box if the debtor has agreed to the entry of this order without further notice or hearing through Section I of the Chapter 13 Plan.